

MINUTES

MONTANA HOUSE OF REPRESENTATIVES 61st LEGISLATURE - REGULAR SESSION

COMMITTEE ON FEDERAL RELATIONS, ENERGY, AND TELECOMMUNICATIONS

Call to Order: Chairman Art Noonan, on February 16, 2009 at 3:02 P.M., in Room 172 Capitol.

ROLL CALL

Members Present:

Rep. Art Noonan, Chairman (D)
Rep. Robyn Driscoll, Vice Chairman (D)
Rep. Harry Klock, Vice Chairman (R)
Rep. Shannon Augare (D)
Rep. Carlie Boland (D)
Rep. Mike Jopek (D)
Rep. Gary MacLaren (R)
Rep. Jesse O'Hara (R)
Rep. Mike Phillips (D)
Rep. Keith Regier (R)
Rep. Scott Reichner (R)
Rep. Brady Wiseman (D)

Members Excused: None

Members Absent: Rep. Llew Jones (R)
Rep. Wayne Stahl (R)

Staff Present: Bryce Bennett, Committee Secretary
Todd Everts, Legislative Branch

Audio Committees: These minutes are in outline form only. They provide a list of participants and a record of official action taken by the committee. The link to the audio recording of the meeting is available on the Legislative Branch website.

Committee Business Summary:

Hearing & Date Posted: HB 161; HB 422; HB 491

Executive Action: HB 161

HEARING ON HB 422

Opening Statement by Sponsor:

00:02:17 Rep. Jill Cohenour (D), HD 78, opened the hearing on
HB 422, Revise eminent domain law on necessity for
railroads.

Proponents' Testimony:

00:09:50 Sen. Bob Hawks
00:11:21 Rep. Stahl arrived.
00:14:33 Mona Jamison, Diamond Cross Ranch

EXHIBIT(feh36a01)

00:27:40 Philip Wood, Diamond Cross Ranch
00:32:28 Nancy Carrel, self
00:36:35 Rep. Jones arrived.
00:37:28 Art Hayes Jr., Brown Cattle Company
00:42:23 Denise Wood, Diamond Cross Ranch
00:45:24 Chere Jiusto, Montana Preservation Alliance

EXHIBIT(feh36a02)

00:52:24 Brenda Lindleaf, Tongue River Water Users Association

EXHIBIT(feh36a03)

00:53:40 Larry Copenhaver, Montana Wildlife Federation
00:56:13 Kate Hampton, National Trust for Historic Preservation
00:58:05 Jim Jenson, Montana Environmental Information Center
00:58:22 Chris Christiaens, Montana Farmer's Union
00:59:25 Stephanie Ambrose Tubbs, self

Opponents' Testimony:

01:01:15 Tom Ebzery, Tongue River Railroad Company

EXHIBIT(feh36a04)

01:09:35 Tom Walsh, Montana Rail Link
01:15:39 Leo Barry, Great Northern Properties
01:22:24 Doug Day, Tongue River Railroad Company

EXHIBIT(feh36a05)

01:27:41 John Fitzpatrick, Northwestern Energy
01:28:30 Todd O'Hair, Reo Tinto Energy America
01:32:59 Steve Wade, Burlington Northern Santa Fe (BNSF)
Railroad Company

01:35:27 John Bennion, Montana Chamber of Commerce
01:37:09 Ronda Wiggers, Great Falls Chamber of Commerce
01:38:53 Rep. Bill Mcchesney, HD 40, Miles City

Informational Testimony: None

Questions from Committee Members and Responses:

01:41:19 Rep. Wiseman
01:42:37 Ms. Jamison
01:44:42 Rep. Wiseman

Closing by Sponsor:

01:44:53 Rep. Cohenour
EXHIBIT (feh36a06)

01:53:34 Break
01:59:19 Reconvene

HEARING ON HB 161

Opening Statement by Sponsor:

01:59:26 Rep. Shannon Augare (D), HD 16, opened the hearing on
HB 161, Establish the Blackfeet-Montana Water Compact.

Proponents' Testimony:

02:01:34 Chris Tweeten, Montana Reserve Water Rights Compact
Council/Department of Justice
02:04:23 Rep. Frosty Calf Boss Ribs
02:05:14 Andrew Huff, Office of the Governor
02:05:39 Jay Weiner, Lead Revenue Analyst, Montana Reserve Water
Rights Compact Council/Department of Justice

EXHIBIT (feh36a07)

02:23:05 Rusty Tatsey, Vice Chairman, Blackfeet Tribe
02:24:24 Rodger Running Crane, Blackfeet Tribal Business Council

EXHIBIT (feh36a08)

02:38:29 Reese Fisher, Blackfeet Tribal Business Council
02:43:02 Mike Tatsey, self
02:45:00 Erwin Carlson, self
02:47:21 James Steele, Chairman, Confederated Salish and
Kootenai Tribes
02:49:12 Mike DesRosier, Chairman, Glacier County Commission
02:50:22 Sen. Carol Juneau, SD 8, Browning

02:51:21 Smiley Kitts, self
02:51:55 John Bloomquist, Pondera County Canal and Reservoir
Company
02:53:38 Mike Murphy, Montana Water Resources Association

Opponents' Testimony:

02:54:50 Randy Perez, Fort Belknap Water Resources Department
EXHIBIT (feh36a09)

Informational Testimony: None

Questions from Committee Members and Responses: None

Closing by Sponsor:

02:59:45 Rep. Augare

EXECUTIVE ACTION ON HB 161

03:01:02 **Motion:** Rep. Augare moved that **HB 161 DO PASS.**

Discussion:

03:01:08 Rep. Jones
03:01:42 Rep. Regier
03:01:52 Rep. Augare
03:02:08 Mr. Tweeten
03:03:32 Rep. Regier
03:03:38 Mr. Tweeten
03:04:24 Rep. Regier
03:04:37 Rep. Jones
03:06:38 Rep. Stahl called the question on HB 161.

03:06:51 **Vote:** Motion carried unanimously by voice vote.

HEARING ON HB 491

Opening Statement by Sponsor:

03:08:41 Rep. Brady Wiseman (D), HD 65, opened the hearing on
HB 491, Revise small power production facilities law.

Proponents' Testimony:

03:13:26 Suzanne Bessette, Montana Small Independent Renewable
Generators (MSIRG)

[EXHIBIT\(feh36a10\)](#)

03:31:10 David Healow, self

03:35:17 Ben Singer, self

Opponents' Testimony:

03:38:08 Mr. Fitzpatrick

[EXHIBIT\(feh36a11\)](#)

03:51:55 John Alke, Montana-Dakota Utilities

[EXHIBIT\(feh36a12\)](#)

03:57:07 Greg Jergeson, Chairman, Montana Public Service
Commission

[EXHIBIT\(feh36a13\)](#)

Informational Testimony:

04:03:17 John Vincent, Commissioner, Montana Public Service
Commission

[EXHIBIT\(feh36a14\)](#)

Questions from Committee Members and Responses: None

Closing by Sponsor:

04:10:23 Rep. Wiseman

ADJOURNMENT

Adjournment: 7:12 P.M.

Bryce Bennett, Secretary

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Additional Documents:

EXHIBIT ([feh36aad.pdf](#))